

**S/N 10/781,035**

**PATENT**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: Jerome M. Eldridge et al.

Serial No.: 10/781,035

Filed: February 18, 2004

Title: GRADED COMPOSITION METAL OXIDE TUNNEL BARRIER INTERPOLY  
INSULATORS

Examiner: Tu-Tu V. Ho

Group Art Unit: 2818

Docket: 1303.063US2



**TERMINAL DISCLAIMER**

MS Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

I, Marvin L. Beekman, am the attorney of record for the above identified patent application as evidenced by the Power of Attorney filed in the present application on February 18, 2004. I am making this petition on behalf of Micron Technology, Inc., the assignee of the present invention. As the attorney of record, I am empowered to act on behalf of the assignee and, in accordance with 37 C.F.R. § 1.321(b)(iv), to sign this terminal disclaimer.

**Certificate Under 37 C.F.R. § 3.73(b)**

Your petitioner, Micron Technology, Inc., certifies that they are the owner of the entire right, title and interest in and to the above-identified patent application (Serial No. 10/781,035) and to U.S. Serial No. 10/177096. Your petitioner owns the entire right, title, and interest of these applications by nature of the assignments executed and filed for both of these applications. The assignment for U.S. Serial No. 10/177096 was recorded on June 21, 2002 on Reel 013032, Frames 0299-0309, with the United States Patent and Trademark Office. The above-identified patent application (Serial No. 10/781,035) is a continuation of U.S. Serial No. 10/177096.

The undersigned representative of the assignee has reviewed the evidentiary documents of title and certifies that to the best of assignee's knowledge and belief, title is in the assignee, Micron Technology, Inc., seeking to take the action set forth in this disclaimer.

**TERMINAL DISCLAIMER**

Serial Number: 10/781,035

Filing Date: February 18, 2004

Title: GRADED COMPOSITION METAL OXIDE TUNNEL BARRIER INTERPOLY INSULATORS

Page 2

Dkt: 1303.063US2

Terminal Disclaimer

Your petitioner hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the above-identified patent application, which would extend beyond the expiration date of the full statutory term, as presently shortened by any terminal disclaimers, of any patent which may issue from U.S. Serial No. 10/177096. Petitioner hereby agrees that any patent so granted on the above-identified application shall be enforceable only for and during such period that the legal title to any patent which may issue from U.S. Serial No. 10/177096 and the legal title of the above-identified application and any patent granted thereon remain common, this agreement to run with any patent granted on the above-identified application and to be binding upon the grantee, its successors and assigns.

Limitations on the Disclaimer

Your petitioner does not disclaim any terminal part of any patent granted on the above-identified application prior to the expiration date of the full statutory term as presently shortened by any terminal disclaimer of any patent which may be granted on U.S. Serial No. 10/177096 in the event that it later expires for failure to pay a maintenance fee, is held unenforceable, is found invalid, is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. § 1.321(a), has all claims canceled by a reexamination certificate, or is otherwise terminated prior to the expiration date of its statutory term as presently shortened by any terminal disclaimer, except for the separation of legal title as stated hereinabove. Your petitioner does not disclaim any terminal part of any patent granted on the above-identified application if no patent issues from U.S. Serial No. 10/177096.

**TERMINAL DISCLAIMER**

Serial Number: 10/781,035

Filing Date: February 18, 2004

Title: GRADED COMPOSITION METAL OXIDE TUNNEL BARRIER INTERPOLY INSULATORS

Page 3

Dkt: 1303.063US2

Fee Status

A check in the amount of \$110.00, which is required under 37 C.F.R. § 1.20(d) to file a statutory disclaimer, is enclosed herewith. The Commissioner of Patents and Trademarks is hereby authorized to charge any additional fees or credit overpayment to Deposit Account No. 19-0743.

Respectfully submitted,

JEROME M. ELDRIDGE ET AL.

By their Representatives,

SCHWEGMAN, LUNDBERG, WOESSNER & KLUTH, P.A.  
P.O. Box 2938  
Minneapolis, MN 55402  
(612) 373-6960

Date 9-22-04

By M-L Beekman  
Marvin L. Beekman  
Reg. No. 38,377

CERTIFICATE UNDER 37 CFR 1.8: The undersigned hereby certifies that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail, in an envelope addressed to: MS Amendment, Commissioner of Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on this 22nd day of September, 2004.

Name

Amy Moriarty

Signature

Amy Moriarty